

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
CASE NO. 1:22-cv-24023-SCOLA/GOODMAN**

KENNETH C. GRIFFIN,

Plaintiff,

v.

INTERNAL REVENUE SERVICE and U.S.
DEPARTMENT OF THE TREASURY,

Defendants.

NOTICE OF HEARING (IN PERSON)

PLEASE TAKE NOTICE that a hearing on discovery matters will be held before Magistrate Judge Jonathan Goodman on November 17, 2023 at 3:30 PM, in person, at James Lawrence King Federal Justice Building, Courtroom 11-3, 99 N.E. Fourth Street, Miami, Florida 33132. The discovery matters to be heard include:

1. The validity and adequacy of Defendants' (1) objections and responses to Plaintiff's First Set of Requests for Production, (2) objections and responses to Plaintiff's First Set of Interrogatories, and (3) objections and responses to Plaintiff's First Set of Requests for Admission. Specifically:
 - a. The parties' dispute regarding whether discovery should be stayed.
 - b. The parties' dispute regarding the applicability and scope of the law enforcement investigatory privilege. *See* Resp. to RFA Nos. 12-14, 19-39; Resp. to RFP Nos. 4-11, 16-24, 26-41; and Resp. to Interrogatories Nos. 1-10.

c. The parties' dispute regarding the applicability and scope of 26 U.S.C. § 6103. *See, e.g.*, Resp. to RFA Nos. 12-14, 19-24; Resp. to RFP Nos. 4-11, 16-24, 26-41; and Resp. to Interrogatories Nos. 1-10.

d. The parties' dispute regarding the sufficiency of Defendants' responses to Plaintiff's Requests for Admissions that neither specifically admit nor deny the requests, nor state in detail the reason for Defendants' inability to answer. *See, e.g.*, Resp. to RFA Nos. 12-18, 22-25, 27, 30, 42-43.

e. The parties' dispute regarding the sufficiency of Defendants' responses to Plaintiff's Requests for Production that refuse to produce any documents or materials, instead relying on vague objections that indicate Defendants have not attempted to obtain any of the requested material. *See, e.g.*, Resp. to RFP Nos. 4-18.

f. The parties' dispute regarding the sufficiency of Defendants' responses to Plaintiff's Interrogatories that do not include responsive answers and rely exclusively on boilerplate general objections and relevance objections. *See, e.g.*, Resp. to Interrogatories Nos. 1-2, 4-8.¹

Copies of the relevant source documents will be emailed to Chambers consistent with the procedures set forth in Magistrate Judge Goodman's Discovery Procedures Order. *See* ECF No. 16 at 4.

¹ Pursuant to the Court's Order granting Plaintiff leave to file an amended complaint (ECF No. 42), Plaintiff will file an amended complaint by October 27, 2023 adding allegations related to the recently-revealed criminal proceeding described in Plaintiff's Notice of Supplemental Authority (ECF No. 37). Plaintiff anticipates serving additional, targeted discovery concerning these new allegations or other subsequently identified information, but expects that the Court's ruling on the discovery disputes presented in this Notice of Hearing will likewise resolve any substantive disputes relating to any such later-served discovery.

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(a)(3)

Undersigned counsel conferred with counsel for Defendants by letter dated September 26, 2023 and phone on October 13, 2023 in a good-faith effort to resolve by agreement the issues raised herein, but was unable to reach any resolution of the issues.

Dated: October 16, 2023

Respectfully submitted,

By: Jason D. Sternberg

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Counsel to Plaintiff Kenneth C. Griffin

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 16 day of October, 2023, I filed a copy of the foregoing document with the Clerk of Court using the CM/ECF electronic filing system, which will send notification to all counsel of record.

By: Jason D. Sternberg

Jason D. Sternberg

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